

FILED 05 DEC 22 14:40 USDC-ORP

DET ORD (10/02)

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

v.

Warren Dean Wallulatum Jr.

Defendant(s)

CR 05-501 BRORDER OF DETENTION AFTER
HEARING (18 USC § 3142(i))

- ☐ On motion of the Government involving an alleged:
- ☐ risk to the safety of any other person or the community for cases involving crimes described in 18 USC § 3142(f)(1)
 - ☐ serious risk defendant will flee:
 - ☐ serious risk defendant will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate a prospective witness or juror or attempt to do so,
- ☒ Upon consideration by the court *sua sponte* involving a:
- ☒ serious risk defendant will flee:
 - ☐ serious risk defendant will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate a prospective witness or juror or attempt to do so,

Having considered the nature and circumstances of the offense charged, the weight of evidence against the defendant, the history and characteristics of the defendant, and the nature and seriousness of the danger to any person and to the community that would be posed by the defendant's release, the court finds that:

- ☒ No condition or combination of conditions will reasonably assure the appearance of defendant as required due to:
- | | | |
|---|---|--|
| <input type="checkbox"/> Foreign citizenship and/or illegal alien | <input type="checkbox"/> Information unverified/unverifiable | <input type="checkbox"/> In custody/serving sentence |
| <input type="checkbox"/> ICE detainer | <input type="checkbox"/> Unknown family/employment/community ties | |
| <input type="checkbox"/> Deportation(s) | <input type="checkbox"/> Unstable/ no residence available | <input type="checkbox"/> Outstanding warrant(s) |
| <input type="checkbox"/> Multiple or false identification | <input checked="" type="checkbox"/> Substance use/abuse | <input checked="" type="checkbox"/> Prior supervision failure(s) |
| <input type="checkbox"/> Aliases | <input type="checkbox"/> Mental health issues | <input checked="" type="checkbox"/> Prior failure(s) to appear |
| <input type="checkbox"/> Other <u>Prior escapes & attempts to elude</u> | | |
- ☒ No condition or combination of conditions will reasonably assure the safety of other persons and the community due to:
- | | |
|--|---|
| <input checked="" type="checkbox"/> Nature of offense | <input checked="" type="checkbox"/> Substance use/abuse |
| <input checked="" type="checkbox"/> Prior supervision failure(s) | <input type="checkbox"/> Mental health issues |
| <input checked="" type="checkbox"/> Arrest behavior | <input checked="" type="checkbox"/> Violent behavior |
| <input checked="" type="checkbox"/> Possession of weapon(s) | <input checked="" type="checkbox"/> Other <u>Eng. affiliation</u> |
| <input checked="" type="checkbox"/> Criminal history | |
| <input type="checkbox"/> Defendant has not rebutted by sufficient evidence to the contrary the presumption provided in 18 USC § 3142(e). | |

THEREFORE, IT IS ORDERED that:

1. ☒ Defendant is detained prior to trial;
2. ☐ Defendant is committed to the custody of the Attorney General for confinement in a corrections facility separated, as far as practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
3. Defendant shall be afforded a reasonable opportunity for private consultation with his counsel;
4. The superintendent of the corrections facility in which defendant is confined shall make the defendant available to the United States Marshal for the purpose of appearance in connection with any court proceeding.

DATED: December 22, 2005

[Signature]
United States District/Magistrate Judge